

EGREMONT PLANNING BOARD MINUTES,

October 22, 2020

Call to Order: 10:06 a.m.

Present via Zoom: Jared Kelly, Eddie Regendahl, Matthew Bersani, Donna Gordon,
Absent: Nick Keene

Citizens in Attendance: Marj Wexler Mary McGurn, Eileen Vining

It was announced that the meeting is video and audio recorded

Form As: None

Citizen's Time: None

Minutes: The October 7, 2020, minutes were approved.

Mail: Great Barrington will hold a Public Hearing on Monday, November 9, 2020, at 6:00 p.m. to act on the Special Permit application from Coastal Cultivars, LLC, Boston, MA to locate a retail marijuana establishment at 454 Main Street, GB, closer than 200 feet to the property of a private school. The special permit application is on file with the Town Clerk. The meeting will be held via video/teleconference. Instructions for participating will be listed on the Selectboard's November 9, 2020 agenda at least 48 hours prior to the meeting or you may call 413-528-1619, x.2 for instructions.

Recap of AUD Bylaw Presentation at Special Town Meeting: The Board discussed what approaches had worked best which resulted in the passage of the ADU Bylaw at the Special Town Meeting by a wide margin. Feedback within and outside the PB indicated the Purpose and Intent, the on-going education and the multiple presentations with Q&A were important components. The Board confirmed the Attorney General's office (AGO) has 90 days from the date the Town Clerk submits the Bylaw packet to make their decision. The Bylaw becomes effective on the date of the Special Town Meeting. Once the AG decision is made, the Town Clerk will post the AG's decision at Town Hall.

New Business:

- Eddie informed the Board that he is in the process of rewriting last years annual report to submit to Town Clerk.
- Eddie informed the Board that he is following up on the updated state Model Floodplain Bylaw for communities to use when revising/updating their local floodplain bylaws/ordinances to determine if modifications to the existing Bylaw are required.
- **Review and Revise Draft Marijuana Bylaw:**

EGREMONT PLANNING BOARD MINUTES,

October 22, 2020

The Board resumed discussion of the Marijuana draft Bylaw, specifically expanding the purpose and intent section to include employment opportunities, benefits for a right to farm community and additional revenue for the town. The Board exchanged ideas on the degree of Bylaw regulation and best practices for reaching out to the citizens for comments.

Regarding effects on the town, Mary McGurn, stated to the Board that all marijuana licenses pay the town 3% of gross revenues (Impact fee) for the first five years of operation. She also informed the Board that after 10/29/20, a new license; Marijuana Delivery Operator will be added. This Delivery Operator may buy wholesale and repackage; sell marijuana product to a consumer and deliver it provided the vehicle used is no larger than a van. She cited the main opposition to this new license is from retailers.

Revisiting cultivation and setbacks for higher tiers, the license of Craft Marijuana Cooperative which allows up to a Tier 11 was discussed. Donna mentioned it does not seem to be a popular license category and Mary McGurn pointed to several reasons for that. The Board agreed it may be an avenue to allow for the largest tier knowing that all grow would not be in same location.

The Board agreed it was in their best interest to tour one or two Marijuana establishments and experience first hand a business that sells, grows and manufactures marijuana on site. Cultivation and manufacturing are two areas the Board feels they need more information. The Pass in Sheffield, as well as Nova Farms and Ted Dodson's outdoor cultivation on Bow Wow Road were considered. Matt will explore contacting the owners of these establishments. Mary McGurn informed the Board that Berkshire Roots in Pittsfield, pending ZBA approval will be expanding to a 100 square feet indoor grow facility (tier 11).

The discussion was raised of whether we could regulate Retail Marijuana establishments through regulating square footage of the building. Mary McGurn stated that most Retail owners prefer to purchase and rehab an existing building. Matt stated he had not seen building square footage regulated before. Other gaps we might want to explore in our Bylaw are parking limitations, signage, lighting, Police and Fire Department feedback/comments on security and construction.

Meeting Adjourned: 12:10 p.m.

Next meeting: November 11, 2020, 10:00 a.m.

Minutes submitted by Donna B. Gordon, Clerk,

11/12/2020